Applicant/Patentee	Peter J. Wilk		
Serial/Patent No.	Not Yet Assigned		
Filed/Issued :	Not Yet Assigned		
For :		for Improving Cardiac Funct	ion
Attorney's Docket No.:	W07-431		
		N) CLAIMING SMALL EN' IALL BUSINESS CONCER	
I hereby declare that I as			
() the owner of the	small business concern ide	entified below:	
(X) an official of the s below:	mall business concern emp	powered to act on behalf of the	concern identified
NAME OF CONCERN	Wilk Patent Devel	opment Corporation	
ADDRESS OF CONCE	RN 160 Third Avenue	New York, NY 10003	
reduced fees under sect employees of the conce purposes of this statement the previous fiscal year of basis during each of the when either, directly or	tion 41(a) and (b) of Title ern, including those of its ont, (1) the number of employ of the concern of the person pay periods of the fiscal y	oduced in 37 CFR 1.9(d), for partial saffiliates, does not exceed by easy of the business concern is employed on a full-time, particle and (2) concerns are affiliant or has the power to concontrol both.	hat the number of 500 persons. For is the average over time or temporary liates of each other
I hereby declare that right	nts under contract or law h fied above with regard to t	ave been conveyed to and ren	nain with the small
	or Improving Cardiac Fund	tion	by inventor(s) described in
Peter J. Wilk			described in
(X) the specification	filed herewith.		
() application seria	no	, filed	 ·
() patent no.	, issued	, filed	
		iness concern are not exclusiv	

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

COLEMAN SUDOL, LLP 708 Third Avenue, 14th Floor New York, New York 10017-4101 Cont'd

(212) 679-0090

<u>Verified Statement (Declaration) Claiming Small Entity Status</u> (37 CFR 1.9(f) and 1.27(c)) - Small Business Concern

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Applicant/Patentee	: _	Peter J. Wilk	
Serial/Patent No.	: _	Not Yet Assigned	
Filed/Issued	: _	Not Yet Assigned	
For	:	Method and Device for Improving Cardiac Function	
Attorney's Docket No.	:	W07-431	
NAME OF CONCERN	1		
ADDRESS OF CONCI	ER.	N	

()INDIVIDUAL ()SMALL BUSINESS CONCERN ()NONPROFIT ORGANIZATION

I acknowledge the duty to file in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patents issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Peter J. Wilk	
OR BERGON OTHER THIAN OUNTED Dreditions	
ADDRESS OF PERSON SIGNANG 185 West End Avenue, New York, NY 10023	
ADDRESS OF PERSON SAME	
SIGNATURE felt, Johnson	****
DATE	

COLEMAN SUDOL, LLP 708 Third Avenue, 14th Floor New York, New York 10017 (212) 679-0090





DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As the below named inventor, I hereby declare that:

My residence, post office and citizenship as stated below under my name.

I believe that I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled METHOD AND DEVICE FOR IMPROVING CARDIAC FUNCTION, the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information known to me to be material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

PRIOR FOREIGN APPLICATION(S)

NUMBER	COUNTRY	(DAY/MONTH/YEAR FILED)	PRIORITY (CLAIMED
			_ YES	NO
			YES	_ NO
I he	reby claim the	benefit under Title 35, United State	es Code, §120 d	of any United States
application	listed below a	nd, insofar as the subject matter of	each of the clai	ms of this application

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W07-431





is not disclosed in any prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal regulations, §1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NO.	FILING DATE (DAY/MONTH/YEAR)	STATUS Patented, Pending, Abandoned
09/426,744	25/10/1999	Pending
09/121,477	23/07/1998	Pending

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: R. Neil Sudol (Reg. No. 31,669) and Henry D. Coleman (Reg. No. 32,559), both of 708 Third Avenue, Fourteenth Floor, New York, New York 10017.

Please address all correspondence regarding this application to:

COLEMAN SUDOL, LLP 708 Third Avenue, Fourteenth Floor New York, New York 10017-4101

Direct all telephone calls to R. Neil Sudol at (212) 679-0090.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States

W07-431







Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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INVENTOR: Peter J. Wilk

INVENTOR'S SIGNATURE:

DATE:

RESIDENCE: 185 West End Avenue

New York, New York 10023

COUNTRY OF CITIZENSHIP: United States of America

POST OFFICE ADDRESS: Same as above

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